

Draft: 4/5/06

**LOCAL BANKRUPTCY FORMS
OF THE
UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**



*, 2006

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**LOCAL BANKRUPTCY FORMS
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TABLE OF CONTENTS

LBF 1009-1A	Amendment Cover Sheet
LBF 1009-1B	Notice to Additional Creditors
LBF 1017-2	Affidavit for Payment of Fees
LBF 2016-1A	Annex 1 — Request for Final Award
LBF 2016-1B	Annex 2 — Request for Interim Allowance
LBF 2016-1C	Supplement to Bankruptcy Rule 2016(b) Statement
LBF 2083-3	United States Trustee Monthly Report for Chapter 13 Debtors
LBF 3015-1A	Chapter 13 Plan
LBF 3015-1B	Notice of Confirmation Hearing
LBF 3017-1	Notice of Hearing on Adequacy of Disclosure Statement
LBF 3018-2	Certificate of Vote
LBF 3020-1	Order Confirming Debtor’s Plan of Reorganization
LBF 3022-1	Statistical Bankruptcy Closing Report for Confirmed Chapter 11 Cases
LBF 4001-1A	Discovery by Movant to Debtor
LBF 4001-1B	Discovery by Debtor to Movant
LBF 4003-2	Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)(2)
LBF 5005-4A	Declaration Regarding Electronic Filing for Petitions, Schedules and Amendments to Schedules
LBF 5005-4B	Declaration Regarding Electronic Filing for Documents Other Than Petitions, Schedules and Amendments to Schedules
LBF 7055-1	Default Judgment
LBF 9012-1	Declaration Pursuant to Servicemembers Civil Relief Act of 2003
LBF 9021-1A	Final Judgment — General
LBF 9021-1B	Final Judgment — Stipulation/Settlement
LBF 9021-1C	Final Judgment — Sum Certain
LBF 9072-1	Proposed Order

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

AMENDMENT COVER SHEET

Amendment(s) to the following petition, lists(s), schedule(s) or statement(s) are transmitted herewith:

- _____ Voluntary petition
- _____ Schedule A - Real Property
- _____ Schedule B - Personal Property
- _____ Schedule C - Property Claimed as Exempt
- _____ Schedule D - Creditors Holding Secured Claims*
- _____ Schedule E - Creditors Holding Unsecured Priority Claims*
- _____ Schedule F - Creditors Holding Unsecured Nonpriority Claims*
- _____ Schedule G - Executory Contracts and Unexpired Leases
- _____ Schedule H - Co-Debtors
- _____ Schedule I - Current Income of Individual Debtor(s) (Entire Schedule I, as amended, also attached)
- _____ Schedule J - Current Expenditures of Individual Debtor(s) (Entire Schedule J, as amended, also attached)
- _____ Summary of Schedules (Entire Amended Summary of Schedules also attached)
- _____ Creditor Matrix*
- _____ Statement of Financial Affairs
- _____ Chapter 7 Individual Debtor's Statement of Intention
- _____ Disclosure of Compensation of Attorney for Debtor
- _____ Social Security Number**
- _____ Other [Please specify: _____]

In connection with the filing of this amendment, I acknowledge that I have read and understood the terms of *LBR 1009-1*.

Attorney for the Debtor [or *Pro se* Debtor]

-

* Fee submitted for Amendment to Schedules D, E or F or the creditor matrix. *No fee is required to change the address of a creditor or to add the name and address of an attorney for a listed creditor.*

**Amendment of the debtor's Social Security number requires that an amended *LBF 5005-4A* or Official Form 21 — Statement of Social Security Number be submitted to the clerk's office, in addition to the filing of the amendment. The amendment must comply with the final four digit Social Security number requirement of Bankruptcy Rule 1005, while the copy mailed to affected parties must list the complete Social Security number.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

NOTICE TO ADDITIONAL CREDITORS

On _____, the schedule(s) of creditors filed by the above-named debtor(s) was amended to include your name.

A meeting of creditors was held/will be held pursuant to 11 U.S.C. § 341(a) on _____.

At this meeting _____ of _____ was appointed as the Trustee of this case.

The bar date for filing objections to discharge or dischargeability pursuant to 11 U.S.C. §§ 523 and 727 is _____ (if applicable)

The claims bar date is _____. (if applicable)

Date: _____

Attorney for the Debtor(s) [or Pro Se Debtor(s)]

Deadline Instructions:

_____ The 341 meeting has been held:
Extend the Objection to Discharge Deadline 60 days from the date of the amendment for the added creditor(s) (Chapter 7 or 11 personal bankruptcy only).
Extend the Proof of Claim Deadline 90 days from the date of the amendment for the added creditor(s), but only if this deadline was set in the original notice.
Extend Objection to Discharge Deadline and/or the Proof of Claim Deadline only if that particular deadline was set on the original Notice of Bankruptcy and 341 Meeting.

_____ The 341 meeting has not yet been held:
Mail a copy of the 341 Meeting Notice to added creditors with the amendment or enter those deadlines on this form.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

AFFIDAVIT OF PAYMENT OF FEES

The undersigned depose and say as follows:

All fees owing by the above-captioned debtor(s) to the United States Bankruptcy Court for the District of New Hampshire and the United States Trustee including, without limitation, unpaid installment filing fees, excess claims fees, fees for noticing the first meeting of creditors and quarterly fees payable to the United States Trustee, have been paid in full by said debtor(s).

[Form for Individual Debtors]

Date: _____

[Print Name]

[Form for Partnership/Corporate Debtors]

Date: _____

[Print Name]

Duly Authorized

[Form for Attorneys]

Date: _____

[Print Name]

STATE/Commonwealth of _____
COUNTY OF _____

Subscribed and sworn to before me this ____ day of _____, 20____, by _____
[Name(s) of Deponent(s)].

Notary Public
My commission expires:

ANNEX 1 — REQUEST FOR FINAL AWARD

FEES:

1. Applicant _____
Representing _____
2. Period of Services in this Case _____ / ____ / ____ to _____ / ____ / ____
3. Total Hours of Service in this Case _____
4. Avg. Hourly Rate per Fee Requested \$ _____
5. Total Fee Award Requested \$ _____
6. Retainer Credited Against Award \$ _____
7. Interims Credited Against Award \$ _____
8. Final Payment Requested \$ _____
9. Approximate Total Amount of Distribution to
all Creditors to Be Made in this Case
(e.g., administrative, secured and unsecured) \$ _____

EXPENSES:

1. Total Expense Reimbursement Requested \$ _____
2. Expense Reimbursement to Date \$ _____
3. Expense Request for Final Period \$ _____
4. Breakdown of Item No. 3 Total:
 - a. Travel Expense \$ _____
 - b. Postage \$ _____
 - c. Photocopies (max. 10¢/pg.) \$ _____
 - d. Express Mail/Messenger \$ _____
 - e. Overtime Charges \$ _____
 - f. Other Expenses (Itemize):
_____ \$ _____
_____ \$ _____
_____ \$ _____

ANNEX 2 — REQUEST FOR INTERIM ALLOWANCE**FEES:**

1. Applicant _____
Representing _____
 2. Interim Fee Request Number _____
 3. Interim Period Involved _____ / _____ / _____ to _____ / _____ / _____
 4. Hours of Services Performed this Period _____
 5. Total Interim Fee Allowances to Date \$ _____
 6. Interim Fee Request this Period \$ _____
 7. Average Hourly Rate this Period \$ _____
 8. Any Uncredited Retainer as of this Date \$ _____
-
-

EXPENSES:

1. Interim Expense Request Number _____
2. Total Expense Reimbursements to Date \$ _____
3. Interim Expense Request this Period \$ _____
4. Breakdown of Item No. 3 Total:
 - a. Travel Expense \$ _____
 - b. Postage \$ _____
 - c. Photocopies (max. 10¢/pg.) \$ _____
 - d. Express Mail/Messenger \$ _____
 - e. Overtime Charges \$ _____
 - f. Other Expenses (Itemize):
_____ \$ _____
_____ \$ _____
_____ \$ _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____-_____-MWV or -JMD
Chapter _____

SUPPLEMENT TO BANKRUPTCY RULE 2016(b) STATEMENT

The undersigned counsel for the Debtor submits this supplement to Bankruptcy Rule 2016(b) statement as follows:

1. Subsequent to the filing of the statement required by Bankruptcy Rule 2016(b), the undersigned has provided or agreed to provide the following additional services to the Debtor:

2. The undersigned has charged or will charge the Debtor for such services as follows:

3. The undersigned has received payment for such services as follows:

Dated: _____

Attorney for the Debtor

CERTIFICATE OF SERVICE

I, _____, certify that I am, and at all times hereinafter was, more than 18 years of age, that on the ____ day of _____, 20____, I served a copy of the foregoing document filed in this proceeding via electronic service on the Office of the United States Trustee, the Chapter 7 trustee, and _____ and by first class mail, postage prepaid on _____. I certify under penalty of perjury that the foregoing is true and correct.

Name of Party Completing Service

UNITED STATES TRUSTEE MONTHLY REPORT FOR CHAPTER 13 DEBTORS

Case Name: _____ Case No. _____

A. MONTHLY CASH FLOW STATEMENT for the period _____ to _____
Balance from prior account (if first report insert opening balance) _____Receipts:

Sales (cash only)	_____	
Collection of Accounts Receivable	_____	
Other Income	_____	
TOTAL RECEIPTS		_____

Expenditures:

Purchase of Inventory	_____	
Net Payroll	_____	
Rent	_____	
Lease Payments	_____	
Payment to Mortgagees	_____	
Insurance	_____	
Utilities	_____	
Taxes (as tallied in tax statement)	_____	
Telephone	_____	
Supplies	_____	
Postage	_____	
Outside Labor	_____	
Other Expenses (describe - use supp. sheet if necessary)	_____	
TOTAL EXPENDITURES		_____
NET CASH FLOW		_____
<u>CASH ON HAND AND IN BANKS (TO BE CARRIED FORWARD TO NEXT REPORT)</u>		_____

B. STATEMENT OF AGED ACCOUNTS PAYABLE

Amount of Postpetition Accounts Payable or Unpaid Invoices:	_____
Over 30 days	_____
Over 60 days	_____
Over 90 days	_____

Signed under the pains and penalties of perjury this _____ day of _____, 20__.

Signature and Title

Case Name: _____ Case No. _____

C. INSURANCE EXPIRATION STATEMENT for the period _____ to _____
Policy Expiration Dates:
 Workers' Compensation Insurance _____
 Liability Insurance _____
 Fire Insurance _____
 Other (describe) _____

D. STATEMENT OF ACCOUNTS RECEIVABLE
 Total Accounts Receivable _____
 Amount of Accounts Receivable over 45 days old _____
 Amount of Accounts Receivable over 90 days old _____
 Current _____

E. TAX STATEMENT
 Gross Payroll for this Period _____
 Amount Withheld During Period for:
 a. Employees' Federal Income Taxes _____
 b. Employees' FICA Tax _____
 c. Employees' State Income Taxes _____
 Taxes Deposited or Paid During This Period for:
 * a. Employees' Withheld Federal Income Tax _____
 * b. FICA Employer's and Employees' Share _____
 c. Federal Corporate Income Tax _____
 d. FUTA _____
 e. Other Federal Tax (describe) _____
 * f. Employees' Withheld State Income Tax _____
 * g. State Sales/Use of Meals Tax _____
 h. State Corporate Income Tax _____
 i. Other State Tax (describe) _____
 j. Property Tax _____
 **TOTAL _____

* Attach photocopies of IRS Form 6123 or similar receipt from state taxing authority to verify that such deposits or payments have been made.

** Enter this figure on the appropriate line on the monthly cash flow statement.

Signed under the pains and penalties of perjury this _____ day of _____, 20____.

 Signature and Title

[To be provided by Chapter 13 Sub-Committee]

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtors

Bk. No. ____-____-MWV or -JMD
Chapter 13

CHAPTER 13 PLAN DATED _____

[To be reviewed by Chapter 13 Sub-Committee]

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter 13

NOTICE OF CONFIRMATION HEARING

You are hereby notified that the above-named debtor has filed a Chapter 13 case. A copy or a summary of the debtor’s plan is attached.

The hearing to confirm the attached plan shall be held on [insert date and time of hearing here] at the United States Bankruptcy Court, 1000 Elm Street, Courtroom [1 or 2], Manchester, New Hampshire.

The bar date for objections to confirmation is _____.

If you fail to object, you shall be bound by the contents of the Chapter 13 plan.

DATED this ____ day of _____, 20____, at Manchester, New Hampshire.

Attorney or Trustee Name
Address _____

Tel No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter 11

**NOTICE OF HEARING ON ADEQUACY OF AMENDED DISCLOSURE
STATEMENT DATED _____**

NOTICE IS HEREBY GIVEN that a hearing on the adequacy of the (Amended) Disclosure Statement Dated _____ (the "Disclosure Statement") will be held on _____ [insert date and time of hearing here] at the United States Bankruptcy Court, 1000 Elm Street, Courtroom [1 or 2], Manchester, New Hampshire.

Parties may request a copy of the Disclosure Statement, in writing, from the undersigned.

Objections to the Disclosure Statement must be filed no later than _____ with the Office of the Clerk, United States Bankruptcy Court, 1000 Elm Street, Manchester, New Hampshire 03101, with a copy to the undersigned.

Proponent's Name

By its attorneys,

Firm Name, if applicable

By: _____
Signature

Address _____

Tel. _____

BNH No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____-_____-MWV or -JMD
Chapter 11
Hearing Date and Time:_____

CERTIFICATE OF VOTE

_____, the Plan Proponent(s), by and through attorney(s) _____,
hereby certify the voting by the holders of claims in Class _____, an impaired class entitled to vote, as follows:

	<u>Number</u> <u>Voting</u>	<u>Percentage</u>	<u>Dollar</u> <u>Amount</u>	<u>Percentage</u>
Accept				
Reject				
Total				

Dated this _____ day of _____, 20__.

Proponent's Name

By its attorneys,

Firm Name, if applicable

By:_____
Signature

Address _____

Tel. _____
BNH No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter 11
Hearing Date and Time: _____

ORDER CONFIRMING DEBTOR'S PLAN OF REORGANIZATION

Pursuant to the final plan and disclosure statement (Court Doc. Nos. _____ and _____) filed by _____; and after notice having been transmitted to all creditors, equity security holders, parties in interest and other persons entitled to notice in accordance with Bankruptcy Rules 2002 and 3017; and after having reviewed the plan, the showing made by parties who attended the confirmation hearing on _____, and the Court having dictated (if applicable) any special findings and conclusions into the record at the close of the hearing,

IT IS HEREBY ORDERED, ADJUDGED and DECREED as follows:

1. The plan, which is incorporated herein by reference, complies with the applicable provisions of the Bankruptcy Code, 11 U.S.C. § 101 - § 1330. See 11 U.S.C. § 1129(a)(1).
2. The proponent of the plan complies with the applicable provisions of section 1129. See 11 U.S.C. § 1129(a)(2).
3. The plan has been proposed in good faith and not by any means forbidden by law. See 11 U.S.C. § 1129(a)(3).
4. Any payment made or promised by the debtor or by any person issuing securities or acquiring property under the plan, for services or costs and expenses in the case or in connection with the case, or in connection with the plan and incident to this case, has been approved by, or is subject to the approval of, the Court as reasonable. See 11 U.S.C. § 1129(a)(4).
5. The debtor has disclosed the identity and affiliations of any individual proposed to serve after confirmation of the plan, as a director, officer, or voting trustee of the reorganized debtor, an affiliate of the debtor participating in a joint plan with the debtor, or a successor to the debtor under the plan and the identity of any insider that will be employed or retained by the reorganized debtor, and the nature of compensation for such insider. See 11 U.S.C. § 1129(a)(5).
6. Any governmental regulatory commission with jurisdiction after confirmation of the plan, over the rates of the debtor (if applicable) has approved any rate change provided for in the plan, or such rate change is expressly conditioned on such approval. See 11 U.S.C. § 1129(a)(6).

7. With respect to each impaired class of claims or interest of such class, being class or classes _____, each holder of a claim or interest of such class has accepted the plan or will receive or retain under the plan on account of such claim or interest property of a value, as of the Effective Date of the plan, that is not less than the amount that such holder would so receive or retain if the debtor were liquidated under Chapter 7. If section 1111(b)(2) applies, such class will receive or retain under the plan, property of a value, as of the Effective Date of the plan, not less than the value of such holder's interest in the estate's interest in the property securing claim. See 11 U.S.C. § 1129(a)(7).

8. The Certificate of Vote attached as Exhibit A hereto discloses those classes that have accepted the plan, those classes that have rejected the plan, those classes that are not impaired under the plan, and those classes which have rejected but are being treated (if applicable) by plan treatment permitted under sections 1129(b)(1) and (b)(2) of the Bankruptcy Code. See 11 U.S.C. § 1129(a)(8).

9. Except to the extent that the holder of a particular claim has agreed to a different treatment of such claim, the plan provides that, with respect to a claim of a kind specified in section 507(a)(1) or 507(a)(2) of the Bankruptcy Code, being class or classes _____, on the Effective Date of the plan, the holder of such claim will receive on account of such claim cash equal to the allowed amount of such claim. See 11 U.S.C. § 1129(a)(9)(A).

10. With respect to a class of claims of a kind specified in section 507(a)(3), being class or classes _____, 507(a)(4), 507(a)(5), 507(a)(6) and 507(a)(7) of the Bankruptcy Code, each holder of a claim of such class will receive, if such class has accepted the plan, deferred cash payments of a value, as of the Effective Date of the plan, equal to the allowed amount of such claim. Or, if such class has not accepted the plan, cash on the Effective Date of the plan equal to the allowed amount of such claim. See 11 U.S.C. § 1129(a)(9)(B).

11. With respect to a claim of a kind specified in section 507(a)(8) of the Bankruptcy Code, being class or classes _____, the holder of such claim will receive on account of such claim deferred cash payments, over a period not exceeding six years after the date of assessment of such claim, of a value, as of the Effective Date of the plan, equal to the allowed amount of such claim. See 11 U.S.C. § 1129(a)(9)(C).

12. If a class of claims is impaired under the plan, at least one class of claims that is impaired under the plan, being class or classes _____, has accepted the plan, determined without including any acceptance of the plan by an insider. See 11 U.S.C. § 1129(a)(10).

13. Confirmation of this plan is not likely to be followed by liquidation, or the need for further financial reorganization, of this debtor or any successor to the debtor under the plan, unless such liquidation or reorganization is proposed in the plan. See 11 U.S.C. § 1129(a)(11).

14. All fees due and all quarterly fees payable to the United States Trustee have been paid as of the confirmation date.

15. The plan provides (if applicable) for the continuation after its effective date of payment of any retiree benefits, as that term is defined in section 1114 of the Bankruptcy Code, at the level established pursuant to section 1114(e)(1)(B) or (g) of the Bankruptcy Code, at any time prior to confirmation of the plan, for the duration of the period the debtor has obligated itself to provide such benefits. See 11 U.S.C. § 1129(a)(13).

16. The plan is hereby determined to be fair and equitable and does not discriminate unfairly with regard to any class of claims or interests that is impaired under, and has not accepted, the plan. See 11 U.S.C. § 1129(b)(1).

17. The plan is fair and equitable with respect to any rejecting class of secured claims (if applicable) and the plan provides that holders of such claims retain the liens securing such claims, whether the property subject to such liens is retained by the debtor or transferred to another entity, to the extent of the allowed amount of such claims, and that each holder of a claim of such class will receive on account of such claim deferred cash payments totaling at least the allowed amount of such claim, of a value, as of the Effective Date of the plan, of at least the value of such holder's interest in the estate's interest in such property. See 11 U.S.C. § 1129(b)(2)(A)(i).

18. Special provisions (insert special provisions if applicable/attach additional sheets if necessary):

19. There are no other plans that have been proposed in this case.

20. The plan is hereby confirmed.

21. The provisions of the plan are hereby made binding upon the debtor and any creditor or equity security holder of the debtor whether the claim or interest of such creditor or equity security holder is impaired under the plan and whether such creditor or equity security holder has accepted the plan.

22. Except as otherwise provided herein or in the plan, and effective as of the Effective Date of the plan, in accordance with section 1141(d) of the Code, the debtor is hereby discharged of and from any and all debts and claims that arose against it before the date of entry of this order, including, without limitation, any debt or claim or a kind specified in sections 502(g), 502(h) or 502(i) of the Code, whether or not (i) a proof of claim based on such debt is filed or deemed filed under section 501 of the Code, (ii) such claim is allowed under section 502 of the Bankruptcy Code, or (iii) the holder of such claim has accepted the plan.

23. Except as otherwise provided herein or in the plan, and effective as of the Effective Date of the plan, in accordance with sections 1141(b) and 1141(c) of the Code, all property of the debtor's estate and all property dealt with by the plan is hereby vested in the debtor free and clear of all claims and interest of creditors and equity security holders of the debtor.

24. Except as provided in the Plan, and subject only to the occurrence of the Effective Date of the plan, any judgment at any time obtained, to the extent that such judgment is determination of the liability of the debtor with respect to any debt or claim discharged hereunder, is hereby rendered null and void.

25. Effective as of the Effective Date of the plan, the commencement or continuation of any action, the employment of process or any act to collect, recover or offset any claim discharged or interest terminated hereunder is hereby permanently enjoined, stayed and restrained.

26. The debtor shall have the right to make objections to any claim or interest, unless prohibited by the plan, by filing with the Court and serving a copy of each such objection and a notice of hearing on such objection upon the holder of such claim or interest no later than _____.

27. Any claim for damages arising from the rejection of any executory contract or unexpired lease pursuant to the plan shall be forever barred unless a proof of claim therefor in proper form is filed with the Court within thirty (30) days after the later of the date of entry of (i) an order by the Court approving the rejection of such executory contract or unexpired lease or (ii) this order.

28. All applications or requests for compensation or the reimbursement of any expenses or costs incurred by any professionals retained with Court approval in this Chapter 11 case, or fees and expenses by any party in interest must be filed with the Court, with a copy thereof served on counsel for the debtor and the United States Trustee on or before _____.

29. On or before a date that is two (2) business days after the date of entry of this order, pursuant to Bankruptcy Rules 2002(f)(7) and 3020(c), the debtor shall mail to all known holders of claims and interest, notice of the entry of this order and shall serve a copy of this order upon the United States Trustee and all parties entitled to notice pursuant to the Bankruptcy Code. Service of such notice and this order shall be sufficient and complete notice of all matters addressed in this order, including all bar dates set forth herein for the filing of claims, applications and requests for payment and objections, and no further notice with regard to any such matters shall be required.

30. In accordance with the provisions of *LBR 3020-1*, the Court shall retain exclusive jurisdiction for the following purposes:

- (a) To hear and determine objections to claims;
- (b) To hear and determine any dispute arising under the plan, its implementation and execution of any necessary documents thereunder, and any requests to amend, modify or correct the plan, provided such matters are brought before the Court prior to the point of substantial consummation;
- (c) To grant extension of any deadlines set forth in this order as may be appropriate;
- (d) To enforce all discharge provisions under the plan; and
- (e) To consider and rule upon requests for final compensation.

The debtor shall be permitted to file a motion requesting additional retention of jurisdiction for specific matters within sixty (60) days of the date of this order. Any such further retention of jurisdiction granted by the Court shall be provided for in a supplementary order on such motion.

31. The debtor shall file an application for final decree pursuant to the provisions of Bankruptcy Rule 3022 and *LBR 3020-1* on or before _____ [no later than 120 days of the date of this order].

ENTERED at Manchester, New Hampshire.

Date: _____

Judge's Name
Chief Judge or Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter 11

**STATISTICAL BANKRUPTCY CLOSING REPORT
FOR CONFIRMED CHAPTER 11 CASES**

1. _____ Gross Receipts
2. _____ % Dividend to be paid. The percentage dividend reported is that which is to be paid to the general class of unsecured creditors under the confirmed plan. If the plan contemplates no payment to unsecured creditors, enter a "0."
3. _____ Trustee Compensation
4. _____ Trustee Expenses
5. _____ Fees and Expenses for Attorney for Trustee
6. _____ Fees and Expenses for Attorney for Debtor
7. _____ Total Fees and Expenses for all Other Professionals (accountant, auctioneer, consultant, other attorneys, etc.) List each professional and the fees received on a separate sheet unless all fees are listed on Exhibit A. If so, note on this form.

Items 3 - 7: These amounts should include fees and expenses that were applied for and approved by the Court during the pendency of the case.

8. _____ Total Secured Claims to be paid
9. _____ Total Priority Claims to be paid
10. _____ Total Unsecured Claims to be paid
11. _____ Total Equity Security Holder Distributions

Items 8 - 11: These amounts should reflect the total amount of all payments to be made pursuant to the confirmed plan, even if payments are to continue after the case is closed.

12. _____ Total Disbursements (Add items 3 - 11. This amount should be the same as the amount in item 1.)

The Filer acknowledges that all fees payable to the Court and the United States Trustee have been paid in full.

This form is to be filed as an exhibit to the application for final decree.

DISCOVERY BY MOVANT TO DEBTOR

- Interrogatory #1:* Name all witnesses you intend to call at the hearing. Designate which are expert witnesses. Provide a brief statement of the substance of the testimony of the witness. Provide a copy of any written expression of opinion as to value of any property for which the stay is sought to be lifted.
- Interrogatory #2:* State the amount of equity, if any, in the subject property.
- Interrogatory #3:* State all reasons why this property is necessary for an effective reorganization.
- Requests for Admissions:* Debtor admits to the truth of the following matters of fact:
- Request for Admission #1:* A true and correct copy of that certain promissory note (hereinafter referred to as the “_____Note”), dated _____, in the original principal amount of _____Dollars (\$_____), made by debtor and payable to the order of movant, is attached hereto as Exhibit A.
- Request for Admission #2:* The signature of debtor which appears on the _____Note is genuine.
- Request for Admission #3:* On or about _____, debtor signed the _____ Note to movant.
- Request for Admission #4:* On or about _____, debtor delivered the _____ Note to movant.
- Request for Admission #5:* The _____(title of security document), a true and correct copy of which is attached hereto as Exhibit B, was executed by the debtor on the date indicated.

DISCOVERY BY DEBTOR TO MOVANT

- Interrogatory #1:* Name all witnesses you intend to call at the hearing. Designate which are expert witnesses. Provide a brief statement of the substance of the testimony of the witnesses. Provide a copy of any written expression of opinion as to value of any property for which the stay is sought to be lifted.
- Interrogatory #2:* State the total amount claimed by the creditor to be owed by the debtor, including a breakdown of principal, interest, other charges and the *per diem* interest.
- Interrogatory #3:* State the security interest claimed by the creditor in the subject property.
- Interrogatory #4:* State the value of the collateral for which this stay is sought to be lifted. State the grounds on which this evaluation is based.
- Interrogatory #5:* State all reasons why movant believes that its interest in the collateral is not adequately protected.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

Hearing Date and Time: _____

_____,
Movant

v.

_____,
Respondent

MOTION TO AVOID LIEN PURSUANT TO 11 U.S.C. § 522(f)(2)

NOW COMES _____ (“Debtor” and “Movant”) by and through his attorney, _____, pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to request that this Court enter an order avoiding the [JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST] held by _____ (“Respondent”). In support of this motion, the Debtor states:

1. This Court has jurisdiction in this matter pursuant to 28 U.S.C. § 1334(a). This matter is a core proceeding as provided by 28 U.S.C. § 157(b)(2)(K).

2. The Debtor filed a voluntary petition under Chapter ____ of the Code on _____.

3. The property is subject to the following mortgages, judicial liens and/or nonpossessory, nonpurchase-money security interests:

a. _____ obtained by _____ on _____;

b. _____ obtained by _____ on _____;

c. _____ obtained by _____ on _____.

4. The Debtor is entitled to an exemption in the property in the amount of \$_____ pursuant to _____ (e.g., N.H. RSA 480:1, N.H. RSA 511:2(III)).

5. The Debtor’s property has a fair market value of \$_____.

6. 11 U.S.C. § 522(f)(2)(A) of the Bankruptcy Code provides that “a lien shall be considered to impair an exemption to the extent that the sum of: (i) the lien; (ii) all other liens on the property; and (iii) the amount of the exemption that the debtor could claim if there were no liens on the property; exceeds the value that the debtor’s interest in the property would have in the absence of any liens.” 11 U.S.C. § 522(f)(2)(B) provides that “[i]n the case of a property subject to more than 1 lien, a lien that has been avoided shall not be considered in making the calculation under subparagraph (A) with respect to other liens.”

7. Following the formula set forth in 11 U.S.C. § 522(f)(2) for determining whether a lien impairs an exemption, the Debtor:

- a. Adds the lien being tested for avoidance (L1), all other liens (L2 + L3 + L4 . . .) and the maximum exemption allowable in the absence of liens (E) to get a sum of (L1 + L2 + L3 + L4 . . . + E).
- b. From the sum above, (L1 + L2 + L3 + L4 . . . + E), subtracts the value of the property in the absence of liens (V) and finds that the extent of the impairment is (I) ($I = L1 + L2 + L3 + L4 . . . + E - V$).

8. Since the extent of the impairment of the exemption, \$(I), exceeds the entire value of the Respondent’s lien, \$(L1), the entire lien is avoidable. **Or** Since the extent of impairment, \$(I) is less than the entire value of the lien, \$(L1), the Respondent’s lien can be avoided only to the extent of the impairment the exemption, \$(I), and the rest remains as a lien in the amount of \$(L1-I).

WHEREFORE, the Debtor respectfully requests that this Court enter an order which:

- A. Avoids the [JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST] held by _____.
- B. Grants such other relief as is fair and equitable.

Respectfully submitted,
Debtor

Dated: _____

By: _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)
_____-_____-_____
Debtor(s) Full Social Security Number

Bk. No. _____-_____-MWV or -JMD
Chapter _____

**DECLARATION REGARDING ELECTRONIC FILING
FOR PETITIONS, SCHEDULES AND AMENDMENTS TO SCHEDULES**

PART 1 - Declaration of Petitioner:

I [We] _____ and _____, the undersigned debtor(s), corporate officer, partner or managing member, hereby declare under penalty of perjury that the information I have given my attorney and the information contained in the petition, statements and schedules, or amendments thereof that are to be electronically filed (the "petition and schedules"), consisting of ____ pages, is true and correct, to the best of my knowledge and belief. I understand that this DECLARATION REGARDING ELECTRONIC FILING is to be filed with the clerk after the petition and schedules have been filed electronically but, in no event, no later than 5 business days after the petition and schedules have been filed. I acknowledge receipt of a copy of the petition and schedules that are to be electronically filed.

☐ [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under Chapter 7, 11, 12, or 13 of Title 11 of the United States Code, understand the relief available under each such chapter, and choose to proceed under Chapter 7. I request relief in accordance with the chapter specified in the petition. I declare under penalty of perjury that the foregoing Social Security number is true and correct.

☐ [If petitioner is a corporation, partnership or limited liability entity] I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in this petition.

I understand that failure to file the signed original of this DECLARATION is grounds for dismissal of my case pursuant to 11 U.S.C. § 707(a)(3).

Dated: _____

Authorized Corporate
Officer/Partnership Member

Signed: _____
Debtor

Joint Debtor (if joint case, both
spouses must sign)

Part 2 - Declaration of Attorney:

I declare that, to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the petition and schedules are not being presented for any improper purpose; that the claims, defenses, and other legal contentions therein are warranted and are not frivolous; that the allegations and other factual contentions have, or will have, evidentiary support; and that the denials of factual contentions are warranted. I further certify that the debtor(s) signed this Declaration and authorized me to electronically file the petition and schedules, that I gave the debtor(s) a copy of the petition and schedules that are to be electronically filed, and that the petition and schedules identified in the attached ***Notice of Electronic Filing*** from the CM/ECF system fully and accurately reflect the information given to me by the debtor(s). I have complied with all other electronic filing requirements. I have informed the individual petitioner that [he and/or she] may proceed under Chapter 7, 11, 12 or 13 of Title 11 of the United States Code and have explained the relief available under each such chapter. This declaration is based upon all information of which I have knowledge.

Dated: _____

Attorney for Debtor(s)

NOTE: You *must* attach the Notice of Electronic Filing as an exhibit.

(FILE ORIGINAL WITH COURT. DO NOT FILE ELECTRONICALLY.)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

DECLARATION REGARDING ELECTRONIC FILING
FOR DOCUMENTS OTHER THAN
PETITIONS, SCHEDULES AND AMENDMENTS TO SCHEDULES

PART 1 - Declaration of Declarant:

I [We] _____, the undersigned declarant(s), hereby declare under penalty of perjury that I have signed the document identified below and that the information contained in the document identified below that is to be electronically filed is true and correct, to the best of my knowledge and belief. I understand that this DECLARATION REGARDING ELECTRONIC FILING is to be filed with the clerk after the document identified below has been filed electronically but, in no event, no later than 5 business days after the document has been filed. I acknowledge receipt of a copy of the document that is to be electronically filed.

PART 2 - Identification of Document:

[Name of document] dated _____, consisting of ____ pages

I understand and agree that failure to file the signed original of this DECLARATION is grounds for the Court to strike the document identified above from the record in this proceeding.

Dated: _____

Name:

Title:

(Insert acknowledgment if required)

Part 3 - Declaration of Attorney:

I declare that, to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the document identified above is not being presented for any improper purpose; that the allegations and other factual contentions have, or will have, evidentiary support; and that the denials of factual contentions are warranted. I further certify that the declarant signed this Declaration and authorized me to electronically file the document identified above, that I gave the declarant a copy of the document identified above that is to be electronically filed, and that the document identified in the attached *Notice of Electronic Filing* from the CM/ECF system is the document identified above.

Dated: _____

Name:

NOTE: You *must* attach the Notice of Electronic Filing as an exhibit.

(FILE ORIGINAL WITH COURT. DO NOT FILE ELECTRONICALLY.)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

_____,
Plaintiff(s)

v.

Adv. No. _____ - _____ -MWV or JMD

_____,
Defendant(s)

DEFAULT JUDGMENT

Default was entered against the defendant(s) on [DATE]. The plaintiff(s) filed a Motion for Entry of Default Judgment, which has been granted by separate order, after notice and a hearing at which the defendant failed to appear or respond. Accordingly,

1. Default judgment shall enter against the defendant(s).
2. Each party shall bear its own costs and fees.

This is a core proceeding in accordance with 28 U.S.C. § 157(b) as to which this Court has jurisdiction of the subject matter and the parties.

ENTERED at Manchester, New Hampshire.

Date: _____

Judge's Name
Chief Judge or Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

DECLARATION PURSUANT TO SERVICEMEMBERS CIVIL RELIEF ACT OF 2003

To be completed by the Debtor:

Pursuant to the Servicemembers Civil Relief Act of 2003 (the "Act"), I, _____, the undersigned debtor, state that:

Please check one:

_____ I **am** entitled to the protections of the Act . The basis for my eligibility under the Act is _____.

or

_____ I **am not** entitled to the protections of the Act.

To be completed by the Joint Debtor, if applicable:

Pursuant to the Servicemembers Civil Relief Act of 2003 (the "Act"), I, _____, the undersigned debtor, state that:

Please check one:

_____ I **am** entitled to the protections of the Act . The basis for my eligibility under the Act is _____.

or

_____ I **am not** entitled to the protections of the Act.

Dated: _____

Debtor

Dated: _____

Joint Debtor, if applicable

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

_____,
Plaintiff(s)

v.

Adv. No. _____ - _____ -MWV or JMD

_____,
Defendant(s)

FINAL JUDGMENT

This proceeding having come before the Court on [DATE] for [TRIAL/HEARING] it is hereby ORDERED:

1. Judgment is entered in favor of [PLAINTIFF/DEFENDANT].
2. Each party shall bear its own fees and costs.

This is a core proceeding in accordance with 28 U.S.C. § 157(b) as to which this Court has jurisdiction of the subject matter and the parties.

ENTERED at Manchester, New Hampshire.

Date: _____

Judge's Name
Chief Judge or Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

_____,
Plaintiff(s)

v.

Adv. No. _____ - _____ -MWV or JMD

_____,
Defendant(s)

FINAL JUDGMENT

A [STIPULATION/SETTLEMENT AGREEMENT] having been filed in the above-captioned case, it is hereby
ORDERED:

1. The [STIPULATION/SETTLEMENT AGREEMENT] filed on [DATE] is incorporated by reference,
and judgment is hereby entered accordingly.

2. Each party shall bear its own fees and costs.

This is a core proceeding in accordance with 28 U.S.C. § 157(b) as to which this Court has jurisdiction of the
subject matter and the parties.

ENTERED at Manchester, New Hampshire.

Date: _____

Judge's Name
Chief Judge or Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

_____,
Plaintiff(s)

v.

Adv. No. _____ - _____ -MWV or JMD

_____,
Defendant(s)

FINAL JUDGMENT

This proceeding having come before the Court on [DATE] for [TRIAL/HEARING], it is hereby ORDERED:

Judgment is hereby entered against the [PLAINTIFF/DEFENDANT] in the amount of \$_____, with interest thereon at the rate provided by statute.

This is a core proceeding in accordance with 28 U.S.C. § 157(b) as to which this Court has jurisdiction of the subject matter and the parties.

ENTERED at Manchester, New Hampshire.

Date: _____

Judge's Name
Chief Judge or Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor(s)

Bk. No. _____ - _____ -MWV or -JMD
Chapter _____

ORDER GRANTING [_____]

ENTERED at Manchester, New Hampshire.

Date: _____

Judge's Name
Chief Judge or Bankruptcy Judge